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Contact: Eric Friedman
efriedman@nycbar.org

Eli Cohen
ecohen@nycbar.org

Statement in Support of Lawyers in Tunisia

On Saturday, May 11, 2024, hooded plainclothes police officers raided the Tunisian Bar Association and took lawyer Sonia Dahmani into custody following statements made in a television interview that “Tunisia is a country where life is not pleasant.”¹ The raid of the bar association was captured on air by French news.²

Dahmani’s advocates had gathered at the bar association Saturday to protest a warrant for her arrest when the police stormed the building.³ The raid of the bar association is particularly shocking because the bar association has long carried “symbolic power” in Tunisia, so much so that authorities didn’t enter its doors under its pre-Arab Spring dictator.⁴ Following her arrest, dozens of lawyers took to the streets in protest carrying banners reading "Our profession will not kneel" and "We will continue the struggle".⁵

Dahmani is believed to have been charged with a violation of Decree 54, an anti-fake news law that was first passed in September 2022.⁶ Critics of the law say that the government has used it to pursue and charge critics of President Kais Saied.⁷ To date, the law has been used to detain approximately 60 journalists, lawyers and opposition members.⁸

¹ <https://www.reuters.com/world/africa/tunisian-police-arrest-prominent-lawyer-critical-president-2024-05-11/>. Dahmani was commenting on a speech by President Kais Saied, who said there was a conspiracy to push thousands of undocumented migrants from Sub-Saharan countries to stay in Tunisia. See id.

² <https://www.bbc.com/news/articles/c4n1jwel080o>

³ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

⁴ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

⁵ <https://www.reuters.com/world/africa/tunisian-police-arrest-prominent-lawyer-critical-president-2024-05-11/>

⁶ <https://www.bbc.com/news/articles/c4n1jwel080o>

⁷ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

⁸ <https://www.bbc.com/news/articles/c4n1jwel080o>

On Sunday, May 12, 2024, civil society organizations, activists, lawyers, and labor organizations gathered at the bar association headquarters.⁹ The Tunisian General Labour Union stated it “strongly condemns this blatant and unprecedented attack on the Tunisian legal profession and considers it one of the preludes to establishing a state of violations and tyranny, especially since it came after a wave of incitement, promotion of hate speech, division and treason.”¹⁰ The Tunisian Bar Council called for all lawyers to participate in a nationwide general strike.¹¹

International standards recognize that lawyers, like other citizens, are entitled to freedom of expression and shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights. Use of Decree 54 to stifle free speech threatens the rule of law and raises concerns among many of an increasingly authoritarian government acting with impunity ahead of presidential elections expected later this year.¹²

The New York City Bar Association calls for the immediate release of Sonia Dahmani, and supports all lawyers in Tunisia in exercising their right to free speech without governmental interference.

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. www.nycbar.org

⁹ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

¹⁰ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

¹¹ <https://apnews.com/article/tunisia-crackdown-lawyer-arrest-critic-saied-54b43a00c7624fbeda3ef72f38d1c9eb>

¹² <https://www.bbc.com/news/articles/c4n1jwel080o>; see also <https://www.reuters.com/world/africa/tunisian-police-arrest-prominent-lawyer-critical-president-2024-05-11/>